

## **PART 5      FUNDRAISING AND POLITICAL ACTIVITIES OF THE NATIONAL PARTIES AND ADMINISTRATIONS**

### **Chapter 33:    Coordination Between the Republican National Committee and the Dole for President Campaign During the 1996 Cycle; Issue Ads**

Presidential campaigns that accept federal matching funds must limit their spending to \$37 million in hard money during the primaries and \$74 million in the general-election campaign. As explained in the previous chapter, the Clinton campaign legally coordinated with its political parties to spend unlimited sums of money on issue ads designed to aid their presidential candidates. These ads are legal as long as they do not carry an electioneering message advocating the election or defeat of a specific candidate. The law also permits political parties and presidential campaigns to work together in producing these issue ads.

The Dole for President campaign and the Republican National Committee ("RNC") also skirted the federal spending caps by launching a multimillion-dollar issue-advocacy campaign that was designed to support the Dole candidacy. Dole for President controlled the RNC's media budget as well as the content and production of the RNC's issue ads. Unlike the DNC's issue ads, which all related to pending legislative issues, a number of RNC ads did not discuss any substantive issues. Although these Dole/RNC issue ads complied with the letter of the law, they certainly violated the spirit of the law by permitting the Dole campaign to benefit from RNC ads that are virtually indistinguishable from the types of advertisements that a presidential campaign would run. Dole for President also circumvented federal spending limits by transferring to the RNC payroll key Dole staffers who continued to work directly to advance the Dole candidacy.

### **FINDINGS**

- (1)    Both the Clinton campaign and the Dole for President campaign benefited from spending by their respective parties in excess of the spending limits applicable to presidential candidates who accept public financing.**
- (2)    Coordination of issue advocacy between the Clinton campaign and the DNC and between the Dole for President campaign and the RNC was legal under current campaign finance laws.**
- (3)    Both presidential campaigns coordinated fundraising to pay for the issue advocacy of their respective parties.**

### **INTRODUCTION**

The RNC spent approximately \$24 million over and above the hard-money spending limit applicable to the Dole campaign.<sup>1</sup> This massive expenditure was for an issue-advocacy campaign designed to inform voters about the Republican view on issues. The evidence clearly shows that

this advertising effort was coordinated with the Dole campaign and was designed to promote Dole's candidacy.

According to documents produced to the Committee, Scott Reed, Dole's campaign manager, controlled the budget for this ad campaign. Moreover, the RNC ads were produced by Don Sipple and Tony Fabrizio, media consultants who were vendors to both the Dole campaign and the RNC. Therefore, the content of these ads, as well as the circumstances surrounding their creation, production, and distribution show that the RNC designed its issue-ad campaign for one purpose: to support the candidacy of Senator Dole.

The DNC sponsored a similar effort during the 1996 election cycle -- the White House, the Clinton campaign, and the DNC coordinated an extensive issue-advocacy effort that was designed to support the re-election of the current administration. (See Chapter 32). There is nothing inherently illegal about such efforts. However, the RNC advertisements came closer to violating the legal test for issue advocacy than did the DNC's ads. For example, a number of RNC issue ads did not include any substantive discussion of legislative issues, but simply discussed Senator Dole's biography or leveled personal attacks against President Clinton. The DNC did not run ads of that sort and has brought a lawsuit against the RNC and the Dole campaign challenging several of the RNC issue ads.

The Dole campaign was able to make use of loopholes in the campaign-finance law that essentially nullify the law's limits on presidential campaign spending.

### **THE ORIGIN OF THE PRO-DOLE ISSUE-AD CAMPAIGN**

In April 1995, Dole for President applied for federal funding and pledged to spend no more than \$37 million, limited to hard money, before the August 1996 Republican Convention. By March 1996, however, the Dole campaign had, by its own estimate, only \$2 million left to spend.<sup>2</sup> In April, Senator Dole conceded that his campaign was "broke."<sup>3</sup> In May -- three months before the Republican National Convention -- the Dole campaign had only \$177,000 left to spend.<sup>4</sup> As the New York Times explained, "[n]o presidential campaign [had] reported coming this close to the spending limit this long before its convention."<sup>5</sup>

As early as January 1996, the RNC had foreseen that its nominee would emerge from the Republican primaries having exhausted his financial resources, and it planned to support the nominee's candidacy by running issue ads that would be paid for with a hard-soft money mix that was not subject to the \$37 million spending limit. The minutes of a January 17 RNC Executive Council and Budget Committee meeting show that party officials "issued a request for [a] proposal to Republican consultants to solicit ideas for how we can insulate our nominee-to-be during the April-August interregnum."<sup>6</sup> The party officials anticipated that "[p]aid advertising [would] be the necessary component of [the party's] message management during this period, supplementing [its] bracketing and press efforts."<sup>7</sup> On March 5, RNC Chairman Haley Barbour

wrote to Republican leaders:

Our nominee is likely (but not certain) to be known by the end of March. Because of provisions of the federal election law, our nominee is likely to be broke and to have reached the spending limit allowed by law (unless it is Steve Forbes who hasn't accepted federal funds and, therefore, is under no limit.) Assuming our nominee has reached the limit, he will not be able to air radio and TV spots or conduct much in the way of campaign activity until the convention in August.<sup>8</sup>

Barbour went on to explain how the Republican Party planned to aid its cash-strapped nominee: "[T]he party (the RNC and our state party organizations) are allowed to run issue and generic party advertising, and we have a sizable (though it needs to be bigger) budget for that. We are scheduled to begin in April."<sup>9</sup> The chairman also made it clear that "the party [could] coordinate [its] generic advertising with anybody. . . ." <sup>10</sup>

On May 16, Barbour announced that the RNC would launch a \$20 million advertising campaign. In the announcement, Barbour boasted that the RNC's ads were designed to aid the Dole campaign:

Yesterday, with Senator Dole's announcement that he will resign from the Senate to be a full-time candidate for president, the 1996 presidential campaign began in earnest. Consistent with that, the Republican National Committee is announcing today that we will launch a \$20 million issue-advocacy advertising campaign between now and our convention in August to get the issues of this campaign before the American people and to get the truth out about these issues.

\* \* \*

Yesterday, Bob Dole picked up the flag of our Party to carry it to victory in the November elections against Bill Clinton. Now the Republican National Committee will rally behind his leadership and use this issue-advocacy campaign to show the differences between Dole and Clinton and between Republicans and Democrats on the issues facing our country, so we can engage full-time in one of the most consequential elections in our history.<sup>11</sup>

### **DOLE FOR PRESIDENT AND THE DOLE/RNC CAMPAIGN**

The Dole for President committee exercised full control over the budget for the RNC's issue-advocacy campaign as well as the production and content of the RNC's ads, as a June 5 memo from Barbour to RNC Director of Campaign Operations Curt Anderson and Anderson's

assistant, Ruth Kistler, demonstrates. Anderson and Kistler had suggested that the RNC spend \$800,000 on "Unity Events," which were RNC-sponsored campaign events in which Senator Dole would appear. Barbour responded:

I will reach out to [Dole campaign manager] Scott Reed to ask him to consider whether the Dole campaign would want us to 1) reduce other spending, such as issue advocacy television advertising, by \$800,000; 2) significantly increase the number and lead time for Victory '96 events in order to offset these costs (although I am not convinced at this time that the Victory '96 events will produce the revenue currently anticipated and budgeted for expenditure); 3) not spend the sum requested for Unity Events; or 4) consider some other alternative.<sup>12</sup>

This memorandum indicates that Dole's campaign manager exercised control over not only the overall budget of the RNC's issue-advocacy campaign, but also oversaw the RNC's Victory '96 project, a program run by long-time Dole aide Jo-Anne Coe and used to fund the media campaign.

Dole for President also controlled the content of the RNC's issue ads. The ads were created, written, and produced by Don Sipple, Dole for President's media consultant, and Tony Fabrizio, Dole's pollster. While Sipple produced these RNC ads, he continued as Dole for President's media consultant. To plan the issue-ad campaign, Sipple and Fabrizio met frequently - usually on Wednesday evenings -- with Haley Barbour, House Speaker Newt Gingrich, Dole pollster Fred Steeper, RNC Communications Director Ed Gillespie, and Dole Campaign Manager Scott Reed.<sup>13</sup> Although neither the RNC nor Dole for President produced to the Committee any notes or agendas from these meetings, the Committee does have an undated memo from Sipple asking for Barbour and Reed to approve an issue ad Sipple had proposed.<sup>14</sup> The fact that Reed had the power to sign off on ads and that the ads were created, written, and produced by Dole operatives shows that Dole for President ran the RNC's issue-advocacy campaign.

In a written submission to the Committee, Senator Dole points out that he personally "did not direct and control the ads produced by the Republican National Committee . . ."<sup>15</sup> Because the Committee did not depose a single witness about the activities of Dole for President, the Minority is unable to characterize Senator Dole's personal involvement in the RNC's media campaign. Whatever Senator Dole's personal role was, it is clear that his campaign manager, chief fundraiser, media consultant, and pollster controlled the RNC's media campaign.

### **THE SUBSTANCE OF DOLE/RNC ISSUE ADS**

In order to ensure that the Democratic National Committee's advertisements were, in fact, issue ads, counsel for the DNC and the Clinton campaign insisted that DNC ads "had to relate to a legislative issue that was pending before Congress, that was actively in play and in discussion before Congress."<sup>16</sup> The RNC and the Dole campaign did not have a similar policy, and ran ads

with no apparent link to legislative issues. These ads praised Senator Dole and attacked President Clinton and included virtually no discussion of public-policy issues.

The most notorious such Dole/RNC ad was entitled "The Story." This ad, which was produced by Don Sipple, used video footage that had previously been used in ads made by Sipple for the Dole campaign.<sup>17</sup> It was run after Senator Dole had resigned from the Senate. "The Story" merely recounted the story of Bob Dole's life with no substantive discussion of public-policy issues:

Sen. Dole: We have a moral obligation to give our children an America with the opportunity and values of the nation we grew up in.

Voice Over: Bob Dole grew up in Russell, Kansas.

From his parents he learned the value of hard work, honesty and responsibility. So when his country called ... he answered.

He was seriously wounded in combat.

Paralyzed, he underwent nine operations.

Sen. Dole: I went around looking for a miracle that would make me whole again.

Voice Over: The doctors said he'd never walk again. But after 39 months, he proved them wrong.

Mrs. Dole: He persevered, he never gave up. He fought his way back from total paralysis.

Voice Over: Like many Americans, his life experience and values serve as a strong moral compass.

The principle of work to replace welfare.

The principle of accountability to strengthen our criminal justice system.

The principle of discipline to end wasteful Washington spending.

Sen. Dole: It all comes down to values. What you believe in. What you

sacrifice for. And what you stand for.<sup>18</sup>

Even RNC employees questioned whether "The Story" qualified as an issue ad. In a May 22, 1996, memo to Haley Barbour, RNC Campaign Operations Director Curt Anderson admitted, "We could run into a real snag with the Dole Story spot. Certainly, all the quantitative and qualitative research strongly suggests that this spot needs to be run. Making this spot pass the issue advocacy test may take some doing."<sup>19</sup>

Senator Dole himself admitted to ABC News that the RNC "The Story" ad was intended to boost his presidential campaign and that viewers would regard "The Story" as a Dole campaign ad:

Sen. Dole: [W]e can, through the Republican National Committee, through what we call the Victory '96 program, run television ads and other advertising. It's called generic. It's not Bob Dole for president. In fact, there's an ad running now, hopefully in Orlando, a 60-second spot about the Bob Dole story: Who is Bob Dole? What's he all about? Pretty much the same question that Ted Koppel asked me. So we'll do that. . . . It never mentions the word that I'm -- it never says that I'm running for president, though I hope that it's fairly obvious, since I'm the only one in the picture! (Laughter).<sup>20</sup>

"The Story" was not the only Dole/RNC issue ad that did not include any substantive discussion of public-policy issues. Don Sipple proposed to Haley Barbour and Scott Reed that "we do a spot on the constellation of ethics problems facing Clinton and his administration. . . . The purpose of doing this ad would be to connect the dots for the American people -- to demonstrate a pattern of behavior."<sup>21</sup> This ad does not meet the requirement followed by the DNC that issue ads must relate to a "legislative issue that was pending before Congress, that was actively in play and in discussion before Congress."<sup>22</sup> Indeed, Sipple himself explained that "this is a spot that [Dole for President] shouldn't get to until late (if at all, in advertising),"<sup>23</sup> indicating that this supposed RNC issue ad was suitable for use by the Dole campaign.

The Dole/RNC issue ads were carefully worded to comply with the letter of the law. As explained in Chapter 24, issue ads are legal and do not count against a presidential campaign's spending cap as long as they do not carry an electioneering message advocating the election or defeat of a specific candidate. Because the Dole/RNC ads did not tell viewers to vote for Senator Dole, they did not violate any campaign-finance laws. They were, however, indistinguishable from ads that are typically run by a presidential campaign and were a clear attempt to circumvent federal spending limits.

## **THE DOLE/RNC "ISSUE ADS" AND PRESIDENTIAL BATTLEGROUND STATES**

One of the strongest indicators that the purpose of the Dole/RNC issue ads was to support Senator Dole's candidacy is that Dole for President and the RNC ran the ads only in states where Clinton and Dole were close in the polls. In states where either candidate had an insurmountable lead, the Dole campaign and the RNC did not run issue ads. See Appendix.

Documentary evidence also supports the conclusion that the criterion used by the RNC and the Dole campaign for deciding where to run issue ads was whether the ads would help Senator Dole win electoral votes. For example, Dave Hansen, an RNC aide, argued that issue ads should be run in Washington state because "Washington is a very winnable state for Dole. Present polls show him down to Clinton by 16 points which is about where he is nationally. . . . For [Washington] to be left out of the first major media program would be devastating to the party and party faithful and, I believe would eliminate any chance for Senator Dole to come back and win the state."<sup>24</sup> Curt Anderson agreed with Hansen, arguing that the omission of Seattle would "cause us serious political heartburn in the state of Washington, which is a state that we could win Presidentially."<sup>25</sup> Anderson then described the purpose of the RNC's media campaign:

The point that needs to be reiterated is that this plan is based on the premise that right now we should be targeting those markets that can not [sic] be considered core partisan for either party. This assumes that if, over the course of the summer, we raise the water level of Dole support in the must win marginal markets, the historically core Republican markets will swing our way. Secondly, the targeted swing markets represented are the most difficult must win voters. This being the case, it makes sense to vie for these votes now, in the hope that [Dole for President] can close the deal in the fall. More to the point, playing for the swing markets should keep them from moving to core Clinton-Gore.<sup>26</sup>

The Dole/RNC issue ads were run to support the cash-strapped Dole for President campaign. The ads were designed and planned in content, timing, and location to assist the Dole candidacy. Even Senator Dole admitted that the ads were intended to aid his presidential bid. Because the law allows such ads to be run by national parties with a mix of hard and soft money that is not subject to federal spending limits, by running these ads in coordination with the RNC, the Dole campaign was able to bypass federal spending limits, while remaining within the letter, if not the spirit, of the campaign finance laws.

### **DOLE/RNC ISSUE ADS AND SOFT MONEY**

Federal law requires that no more than 35 percent of the money used to pay for party-building activities, such as running issue ads, be soft money.<sup>27</sup> Thus, while a presidential campaign must raise and spend exclusively hard money, a national party can support the campaign with expenditures that are paid for in part with soft-money contributions. Moreover, because the law in many states permits parties to fund issue ads with more than 35 percent soft money, by

transferring money to the state parties, more soft money can be used to pay for advertising. The RNC took advantage of this loophole to run Dole/RNC issue ads that were funded primarily with soft money.

The RNC started planning to transfer money for issue advertising to state parties as early as March 18, 1996. On that date, Curt Anderson wrote a memo to Haley Barbour entitled "Ballot Allocation of Target States," which states that "any media we place in the target presidential states should be placed through state parties. The average ballot allocation in the top 17 target states is 37% federal - 63% non-federal, this obviously contrasts very well with our 65% federal - 35% non-federal allocation."<sup>28</sup> The memo also establishes that state parties acted as mere conduits, exercising no independent judgment over the ads:

Some have voiced concern that buying through the state parties could result in a loss of control on our part. There is absolutely no reason to be concerned about this. As was demonstrated in our efforts recently in the CA and OR special elections, our field staff is fully able to insure that state parties make good on any arrangement we make with them. This is simply a book keeping hassle, but not in anyway [sic] a reason not to proceed.<sup>29</sup>

On May 24, a week after the media campaign began, RNC Finance Director Albert Mitchler wrote a memorandum stating that the RNC needed "to raise \$2 million, minimum, in soft money that has to be transferred to the CA State Party."<sup>30</sup> Mitchler then stressed "how critical it is that this money be raised and assigned as quickly as possible so that we can get on the air and stay on the air for the next three months."<sup>31</sup>

Unsigned RNC notes entitled "Proposed media markets" list 18 states in which Dole/RNC issue ads were to be run, and then says:

- cash flow chart needed from Sipple
- can't buy week at a time
- thru state parties - as much as possible transfers<sup>32</sup>

The author of this memo is not known to this Committee because RNC employees refused to be deposed. However, the memo makes clear that there was a coordinated plan to run ads that would be paid for with as much soft money as possible. These ads would be paid for with corporate contributions and other contributions that exceeded the limits applicable to presidential campaigns. By making use of this practice, a presidential campaign, which is not permitted to accept soft money in any amounts, may coordinate advertising efforts to communicate its message and arrange to have the ads paid for with up to 65 percent in soft-money contributions.

### **COORDINATION OF FUNDRAISING AND POLITICAL EFFORTS**



The Dole campaign actively assisted the RNC in the party's efforts to raise soft money to pay for the Dole/RNC issue-advocacy campaign. Dole was personally involved in these fundraising efforts. From May 28, 1996 through August 6, 1996 alone, at least 25 RNC soft-money fundraisers were held at which Dole made an appearance.<sup>33</sup> The coordination of fundraising efforts is legally permissible -- a candidate is permitted to raise money for his or her party that will be spent to aid the candidate's campaign. See Chapter 24.

Scott Reed, the campaign manager for Dole for President, acknowledged that part of the Republican strategy in 1996 included fundraising to help defray the cost of issue ads that would help Bob Dole. Reed said, "We went out in April and May and raised \$25 million for the party, of which about \$17, \$18, or \$19 million was put into party building ads, which were Bob Dole in nature."<sup>34</sup> Tony Fabrizio, a Dole pollster, echoed Reed's statement: "We were coming off a primary where we were flat broke... We had a candidate who was very sensitive to not having all of the money potentially available to him post-convention. So to say that [fundraising] wasn't a driving factor, especially since we put him out on the road to raise \$25 or \$30 million for the party, would be unfair."<sup>35</sup>

Another way in which the Dole campaign and the RNC were intermeshed involved staffing. In March and April 1996, the Dole campaign reduced its staff from 230 to 67.<sup>36</sup> Many of those who left the Dole payroll, including long-time chief fundraiser Jo-Anne Coe, were hired by the RNC. Although these individuals technically reported to the RNC, their job duties continued to be to assist Senator Dole's campaign.

In a March 29, 1996, memo, Haley Barbour explained the details of the shift of personnel from the Dole campaign to the RNC payroll. He stated that the RNC had asked "a number of former DFP [Dole for President] employees and consultants" to work for the RNC's Surrogate Division and Campaign Operations Division.<sup>37</sup> The Surrogate Division, a part of Victory '96, organized the travel of Dole and his wife to RNC-sponsored campaign events, and Barbour designated Jo-Anne Coe as the "trigger person on travel requests" for the Doles.<sup>38</sup> Nine other former Dole staffers were placed in the RNC Surrogate Division to coordinate the Doles' travel.<sup>39</sup>

As Senator Dole explained, the aim of Victory '96 was "to keep running honest, hard-hitting issue advertising," that is, the Dole/RNC media campaign.<sup>40</sup> In an April 18, 1996, conference call with major Republican donors, Nancy Brinker, an RNC fundraiser, admitted that the "purpose of Victory '96 is to elect Bob Dole as the next president of the United States."<sup>41</sup> Barbour stated that the RNC assigned these former Dole staffers to run all aspects of the Victory '96 program:

Update Victory '96 plans in light of our having a presidential nominee; in states with GOP governors, solicit and include the ideas and plans of the governor and his political operation in the state plan; solicit and include the ideas and plans of Republican senators and governors in the state plan; hammer out the updated

Victory '96 plan by May 15; assist in raising the revenue necessary and recruiting the leadership and manpower necessary to implement the plan in the state. . . .<sup>42</sup>

Thus, while on the RNC payroll, Dole staffers arranged Senator Dole's travel and ran the program used to fund the Dole/RNC media campaign. In his March 29, 1996, memo, Barbour tried to camouflage the integration of the Dole and RNC staffs by insisting that "all former DFP staff who come to the RNC must report in fact as well as on paper to the RNC. . . ."<sup>43</sup> The facts, however, are to the contrary.

Jo-Anne Coe, who had worked for Senator Dole for many years, supervised the Dole staffers who joined the RNC payroll. As Barbour indicated, former Dole staffers aided Coe in arranging Dole's travel schedule -- while the staffers and Coe were supposedly working for the RNC. Coe also ran the Victory '96 program. In fact, in an April 11, 1996, memo, Coe outlined "a very aggressive plan to raise \$14 million" for Victory '96.<sup>44</sup> The plan called for fundraising appeals "over the Bob Dole signature which worked so well for us in the campaign."<sup>45</sup> It also relied on donations from long-time Dole contributors, such as Phil Anschutz.<sup>46</sup>

In the April 18, 1996, conference call with major Republican donors mentioned above, the RNC's Brinker succinctly characterized the relationship between the Dole campaign and the RNC: "The Dole for President campaign and the RNC have been integrating our efforts for the past two weeks. All facets of the transition have been smooth from fundraising and political operations to communications."<sup>47</sup> Under Coe's direction, former Dole staffers who were on the RNC payroll ran every aspect of the bankrupt Dole for President campaign, from planning campaign events for Dole to raising money for a multimillion-dollar ad campaign designed to boost the senator's candidacy.

Senator Dole and his longtime staffers were intimately involved in planning and coordinating the RNC's efforts to assist the Dole campaign and to raise the money for the RNC to pay for the extra expenses. From the beginning, it was understood that the RNC could, with Dole's assistance, raise millions of dollars in soft money and spend it on political activities, including advertising, that would advance the Dole candidacy with money that was not subject to the hard-money spending limits on the Dole campaign.

### **DOLE FOR PRESIDENT AND THE RNC** **IMPEDED THE COMMITTEE'S INVESTIGATION**

There is strong documentary evidence that Dole for President and the RNC worked together to find ways around the federal spending limits for presidential candidates and the hard-money requirements for parties. The Minority sought to depose a number of individuals who had first-hand knowledge of these activities, including:

- O Scott Reed, who managed the Dole campaign, controlled the budget of the Dole/RNC

issue-ad campaign, and oversaw Victory '96;<sup>48</sup>

- O Albert Mitchler, RNC finance director, who was deeply involved in Victory '96 and the transferring money from the RNC to state parties;<sup>49</sup>
- O Curt Anderson, RNC director of campaign operations, who helped plan the Dole/RNC media campaign<sup>50</sup> and who said that making "The Story" television ad "pass the issue advocacy test may take some doing;"<sup>51</sup>
- O Jo-Anne Coe, Dole's longtime chief fundraiser and later the RNC deputy finance chairman, who ran Victory '96 and supervised the Dole staffers who joined the RNC payroll;<sup>52</sup>
- O Don Sipple, media adviser to both the RNC and Dole for President, who produced many of the Dole/RNC issue ads; and
- O Tony Fabrizio, a Dole pollster who helped create and produce the Dole/RNC issue ads.<sup>53</sup>

In August, the Minority asked Martin Weinstein, legal counsel to the RNC, to schedule depositions for Reed, Mitchler, Anderson and Coe. Weinstein assured the Committee that there was no need to issue subpoenas because all of his clients would appear for depositions voluntarily, as DNC witnesses had done.<sup>54</sup> In September, however, Weinstein told the Committee that his clients would not agree to be deposed without subpoenas. The Minority immediately requested the issuance of subpoenas for Reed, Mitchler, Anderson, and Coe. The Chairman refused to subpoena Mitchler and Anderson<sup>55</sup> but did agree to issue deposition subpoenas for Reed and Coe. Reed and Coe chose to defy the Committee's subpoenas. They asserted no legal justification for refusing to comply with the Committee's lawful subpoenas; they simply refused to be deposed.<sup>56</sup>

The Committee also issued a deposition subpoena to Tony Fabrizio, who had helped prepare the Dole/RNC issue ads. Fabrizio did appear for a deposition, but he refused to answer any questions, including:

Did the RNC engage in any illegal or improper activities during the 1996 federal election campaign?

Did the Dole campaign engage in any illegal or improper activities during the 1996 federal election campaign?

Were the polls you conducted for the RNC in 1996 designed to test the strength of Bob Dole's candidacy?

Did the Dole campaign design the polls you conducted for the RNC in 1996?

In June and July of 1996, did the RNC run any ads that were designed to boost the presidential candidacy of Bob Dole?<sup>57</sup>

Like Coe and Reed, Fabrizio offered no legal justification for defying the Committee's deposition subpoena. Apparently, the RNC had much to hide on these issues.

### **CONCLUSION**

Dole for President and the RNC worked together closely, coordinated their efforts, and implemented creative plans to get around federal spending limits on presidential candidates who accept public funds and federal hard-money requirements for parties engaged in issue advocacy. The centerpiece of this plan was a multimillion-dollar media campaign that was run by the Dole for President committee, which wrote and produced the ads, and which worked with the RNC to raise the necessary funds. The media effort was funded primarily with RNC soft money transferred to state parties. The campaign's purpose was to promote the candidacy of Senator Dole. The Majority's refusal to investigate these activities and the failure of Republican witnesses to comply with deposition subpoenas are two more examples of the failure of the Committee to conduct a bipartisan investigation. The Republican Party was unwilling to cooperate with the Committee's investigation and kept the public from learning the truth about the activities of the Dole for President campaign and the RNC.

1. The DNC spent about \$44 million on issue ads, while the RNC spent about \$24 million on issue ads. See FEC filings; see also, for example, Annenberg Public Policy Center, "Issue Advocacy Advertising During the 1996 Campaign: A Catalog," Report Series No. 16, 9/16/97, pp. 32, 53.
2. Exhibit 2323M: Washington Post, 5/4/96.
3. New York Times, 4/19/96.
4. New York Times, 5/18/96.
5. New York Times, 5/18/96.
6. RNC Executive Council and Budget Committee Meeting minutes, 1/17/96.
7. RNC Executive Council and Budget Committee Meeting minutes, 1/17/96.
8. Exhibit 2324M: Memorandum from Haley Barbour to Republican Leaders, 3/5/96.
9. Exhibit 2324M: Memorandum from Haley Barbour to Republican Leaders, 3/5/96.
10. Exhibit 2324M: Memorandum from Haley Barbour to Republican Leaders, 3/5/96.
11. RNC News Release, R 044102, 5/16/96.
12. Memorandum from Haley Barbour to Curt Anderson and Ruthie Kistler, R 001687, 6/5/96.
13. Washington Post, 5/26/96.
14. Memorandum from Don Sipple to Haley Barbour and Scott Reed, R 000445. The ad was "a spot on the constellation of ethics problems facing Clinton and his administration."
15. Statement submitted for the record by Senator Bob Dole, 1/12/98, p. 3.
16. Richard Morris deposition, 8/20/97, p. 142.
17. CNN Broadcast, 7/8/96 (text reprinted at <http://www.allpolitics.com/1996/news/9607/08/complaints.jackson/>).
18. Transcript of "The Story."
19. Exhibit 2329M: Memorandum from Curt Anderson and Wes Anderson to Haley Barbour, 5/22/96, R 044639-41.
20. Exhibit 2336M: Transcript ABC News Interview of Bob Dole, 6/6/96.

21. Memorandum from Don Sipple to Haley Barbour and Scott Reed, R 000445 (emphasis added).
22. Richard Morris deposition, 8/20/97, p. 142.
23. Memorandum from Don Sipple to Haley Barbour and Scott Reed, R 000445.
24. Memorandum from Dave Hansen to Haley Barbour, 5/22/96, R 044642-43.
25. Exhibit 2329M: Memorandum from Curt Anderson and Wes Anderson to Haley Barbour, 5/22/96, R 44639-41.
26. Exhibit 2329M: Memorandum from Curt Anderson and Wes Anderson to Haley Barbour, 5/22/96, R 44639-41.
27. FEC Adv. Op. 1995-25.
28. Memorandum from Curt Anderson to Haley Barbour, 3/18/96, R 055196-97.
29. Memorandum from Curt Anderson to Haley Barbour, 3/18/96, R 055196-97.
30. Exhibit 2372M: Memorandum from Al Mitchler to Howard Leach et al., 5/24/96, R 057192.
31. Exhibit 2372M: Memorandum from Al Mitchler to Howard Leach et al., 5/24/96, R 057192 (emphasis in original).
32. Notes, R 044659.
33. Victory '96 Schedule of Events, R 1533-36, 1747-50, 2129-32.
34. Campaign for President '96, p. 117.
35. Campaign for President '96, p. 117.
36. Exhibit 2323M: Washington Post, 5/4/96.
37. Memorandum from Haley Barbour to Scott Reed, 5/29/96, R 17118-21.
38. Memorandum from Haley Barbour to Scott Reed, 5/29/96, R 17118-21.
39. Memorandum from Haley Barbour to Scott Reed, 5/29/96, R 17118-21.
40. Memorandum from Senator Dole to Haley Barbour, 6/3/96, R 1135.
41. Notes of Team 100 Conference Call, Thursday, 4/18/96, R 49284-87.
42. Memorandum from Haley Barbour to Scott Reed, 5/29/96, R 17118-21.

43. Memorandum from Haley Barbour to Scott Reed, 5/29/96, R 17118-21.
44. Memorandum from Jo-anne Coe to Haley Barbour, 4/11/96, R 3828.
45. Memorandum from Jo-anne Coe to Haley Barbour, 4/11/96, R 3828.
46. On April 18, 1996, one week after Ms. Coe drafted her Victory '96 proposal, the Anschutz Corporation donated \$250,000 to the Republican National Committee. FEC Records.
47. Notes of Team 100 Conference Call, Thursday, 4/18/96, R 49284-87.
48. Memorandum from Haley Barbour to Curt Anderson and Ruthie Kistler, 6/5/96, R 001687.
49. Exhibit 2372M: Memorandum from Al Mitchler to Howard Leach et al., 5/24/96, R 057192.
50. Exhibit 2329M: Memorandum from Curt Anderson and Wes Anderson to Haley Barbour, 5/22/96, R 044639-41.
51. Exhibit 2329M: Memorandum from Curt Anderson and Wes Anderson to Haley Barbour, 5/22/96, R 044639-41.
52. Memorandum from Jo-Anne Coe to Haley Barbour, 4/11/96, R 3828; Memorandum from Haley Barbour to Scott Reed, 3/29/96, R 17118-21.
53. Memorandum from Don Sipple to Haley Barbour and Scott Reed, cc: Tony Fabrizio, R 000445.
54. Letter from Martin Weinstein to Majority and Minority Chief Counsels, 8/14/97.
55. Chairman Thompson purported to issue a subpoena for Curt Anderson on September 19. The subpoena, however, asked Mr. Anderson to appear for a deposition on September 17 -- two days before the subpoena was served. The Minority asked for this error to be corrected, but it was not.
56. Letter from Martin Weinstein to Majority Chief Counsel, 10/22/97.
57. Tony Fabrizio deposition, 9/22/97, p. 10; Tony Fabrizio deposition, 9/22/97, Exhibit 1: Questions Fabrizio refused to answer.